

## REMARKS

### *Response to Arguments*

Applicants acknowledge the examiner's statement that our previous arguments are considered moot, and are not traversed or otherwise addressed in the letter of July 27, 2005.

### *Claim Objections*

Claims 4 and 39 have been amended commensurate with the examiner's comments to correct informalities. Claims 4, 39 and 40 are now believed allowable.

### *Claims Rejections*

Claims 3 and 23 were rejected under 35 USC 102(b) as anticipated by Yang et al (US. Pat. No. 6,130,462). Claims 3 and 23 have been amended to incorporate subject matter deemed allowable as described below, and claims 3 and 23 are now believed allowable as amended over Yang et al, as more fully explained below.

### *Allowable Subject Matter*

Applicants note with gratitude the examiner's allowance of claims 5-14, 17-20, 24-34, 37, 38, 45-52 and 57-64. Claims 7, 17 and 18 are amended herein to correct minor informalities; no new matter is believed raised or added by these amendments.

Claims 41-44 and 53-56 have been objected to as dependent upon rejected base claims (3 and 23, respectively), "but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim". In support of this position, the examiner states, in part, that the prior art (therefore, including Yang et al) does not suggest a "bipolar transistor which has a resistive material that is *a thin film* located on a recessed contact stud which is in series with a base, collector or emitter of the device" (emphasis added).

In particular, the "resistive material as thin film" limitation appears in claim 41, which is directly dependent upon claim 3 and thereby incorporates the remainder of the allowable subject matter as it appears in claim 3 (a "bipolar transistor having a resistive

material located on a recessed contact stud which is in series with a base, collector or emitter of the device").

Independent method claim 3 has been amended herein to incorporate this "thin film" limitation. More specifically, the "resistive material layer" has been amended to a "thin resistive film layer". Claim 41 has been amended to correlate to the movement of this limitation into independent claim 3. And claims 42-44 have also been amended to correlate with the amendment of claim 3. Claims 3 and 41-44 are thus now believed to incorporate the subject matter deemed allowable in the examiner's letter of July 27, 2005. No new matter and subject matter are believed to be raised by these amendments.

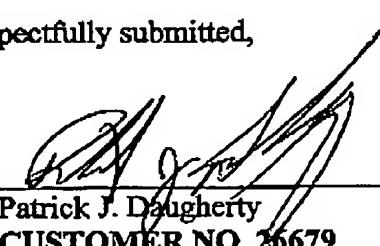
Independent article claim 23 and dependent claims 53-56 correspond to independent method claim 3, and dependent method claims 41-44, respectively, have been correspondingly amended. Specifically, the "resistive material layer" of claim 23 has been amended to a "thin resistive film layer". Claim 53 has been amended to correlate to the movement of this limitation into independent claim 23. And claims 54-56 have also been amended to correlate with the amendment of claim 23. Claims 23 and 53-56 are thus now believed to incorporate the subject matter deemed allowable in the examiner's letter of July 27, 2005. No new matter and subject matter are believed to be raised by these amendments.

### *Conclusion*

It is believed that all of the claims before the examiner are in condition for allowance.

Respectfully submitted,

Date: Oct 21, 2005

By:   
Patrick J. Daugherty  
CUSTOMER NO. 26679

PJD:cg